Docket No. 23668US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NRE APPECATION OF: Hideki MIYATA, et al.

SERIAL NUMBER: 10/692,783

ATTN: APPLICATION BRANCH

FILING DATE:

October 27, 2003

FOR:

HYDRAULIC CONTROL APPARATUS

FILING OF DECLARATION UNDER 37 CFR 1.53(f)

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the notification dated February 2, 2004, and in accordance with the provisions of 37 CFR 1.53(f), Applicants submit herewith a Rule 63 Declaration. The required fee was paid at the time of filing the application.

The Declaration enclosed herewith contains the Title of the Invention and Inventor(s) name(s) and is believed, in combination with the application serial number and filing date contained in this cover letter, to adequately identify the above-identified application in accordance with 37 CFR 1.63, as set forth in MPEP Section 601.01.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

C. Irvin McClelland

Registration No. 21,124

Surinder Sachar Registration No. 34,423

Customer Number

22850

Tel. (703) 413-3000 Fax. (703) 413-2220 (OSMMN 05/03)

I:\USER\CAVAU\DECLARATIONS\243668 F.O.D..DOC

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語官言書

下記の氏名の発明者として、私は以下の通り宜言します。

私の住所、郵便の宛先、国籍は下記の私の氏名の後に記 載された通りです。

下記の名称の発明に関して請求範囲に記載され、特許出 願している発明内容について、私が最初かつ唯一の発明 者(下記の氏名が一つの場合)もしくは最初かつ共同発 明者(下記の名称が複数の場合)であると信じています。

| | 発明の明細書は、 本書に添付されています。 | | | | | |
|---|--------------------------|--|--|--|--|--|
| | 月日に提出され、米国出願番号または特 | | | | | |
| | 許協定条約国際出願番号を | | | | | |
| | 該当する場合) に訂正されました。 | | | | | |
| 私は、特許請求範囲を含む上記訂正後の明細書を検討し、 内容を理解していることをここに表明します。 | | | | | | |

私は、連邦規則法典第37編第1条56項に定義されるとま り、特許資格の有無について重要な情報を開示する義務が ある

ことを認めます。

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled.

HYDRAULIC CONTROL APPARATUS

| the specification of which | | | | |
|---|--|--|--|--|
| ☐ is attached hereto. ☑ was filed on October 27, 2003 | | | | |
| as United States Application Number or PCT International Application Number | | | | |
| and was amended on | | | | |
| (if applicable) | | | | |

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

Japanese Language Declaration

(日本語宣言書)

私は、米国法典第 35 編 119 条(a) – (d)項又は 365 条 (b 項

に基づき下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約 365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

I hereby claim foreign priority under Title 35, United States Code, § 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application(s) 外国での先行出願 | | | Priority Claimed 優先権主張 |
|---|---|---|--|
| 2002-313382 | Japan | 28/10/2002 | |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |
| (番号) | (国名) | (出願年月日) | はい いいえ |
| | | | |
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |
| (番号) | (国名) | (出願年月日) | はい いいえ |
| 私は、第 35 編米国法典 119 第 国 特許出願規定に記載された権利 | | I hereby claim the benefit under Code, §119(e) of any Unite application(s) listed below. | |
| (Application No.) | (Filing Date) | (Application No.) | (Filing Date) |
| (出願番号) | (出顧日) | (出額番号) | (出願日) |
| 私は、下記の米国法典第35 を国特許出願に記載された権利、又力条約365条(c)に基づくた、本出願の各請求範囲の内容が1項又は特許協力条約で規定されたに開示されていない限り、その本出願書の日本国内または特許間中に入手された、連邦規則義された特許資格の有無に関する重あることを認識しています。 | は米国を指定している特許協権利をここに主張します。ま 米国法典第 35 編 112 条第 方法で先行する米国特許出願 先行米国出願書提出日以降で協力条約国際提出日までの期 法典第 37 編 1 条 56 項で気 | I hereby claim the benefit under Code, §120 of any United States a of any PCT International application States, listed below and, insofar a each of the claims of this application prior United States or PCT Internament provided by the first paragestates Code, §112, I acknowledge information which is material to partitle 37, Code of Federal Regulation available between the filing date of the national or PCT Internation application. | application(s), or §365(c) and designating the United as the subject matter of an is not disclosed in the tional application in the graph of Title 35, United the duty to disclose attentability as defined in ans, §1.56 which became the prior application and |
| (Application No.) | (Filing Date) | (Status: Patented, Pending | g, Abandoned) |
| (出願番号) | (出願日) | (現況:特許許可済、係属 | 中、放棄済) |
| (Application No.) | (Filing Date) | (Status: Patented, Pending | |
| (出願番号) | (出願日) | (現況:特許許可済、係属 | |

Japanese Language Declaration

(日本語宣言書)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両

方により処罰されること、そしてそのような故意による虚偽 の声明を行なえば、出願した、又は既に許可された特許の有 効性が失われることを認識し、よってここに上記のごとく宣 督を致します。

委任状:私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。

(弁護士、または代理人の指名及び登録番号を明記の こと) I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: (list name and registration number)



書類送付先

Send Correspondence to:



022850

直接電話連絡先: (名前及び電話番号)

Direct Telephone calls to: (name and telephone number)

(703) 413-3000

| 単独発明者または第1の共同発明者の氏名 | | Full name of sole or first inventor Hideki MIYATA |
|---------------------|--|---|
| 発明者の署名 | で B 日付 Inventor's signature This left This | Inventor's signature Date |
| | | October 30, 2003 |
| 住所 | | Residence |
| | | Okazaki-shi, Aichi-ken, Japan |
| 国籍 | | Citizenship |
| † | | Japan |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan |

Japanese Language Declaration (日本語宣言書)

| 第 2の共同発明者の氏名 | | Full name of second joint inventor, If any Masafumi KINOSHITA |
|--------------|----|---|
| 第 2の共同発明者の署名 | 日付 | Second inventor's signature Date Thasafumi Kinoshita October 30, 2003 |
| 住所 | | Residence Toyota-shi, Aichi-ken, Japan |
| 国籍 | | Citizenship Japan |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan |
| 第 3の共同発明者の氏名 | | Full name of third joint inventor, If any Yuji YASUDA |
| 第3の共同発明者の署名 | 日付 | Third inventor's signature Date Third inventor's signature Date October 30, 2003 |
| 住所 | | Residence Nishikamo-gun, Aichi-ken, Japan |
| 国籍 | | Citizenship Japan |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan |
| 第 4の共同発明者の氏名 | | Full name of fourth joint inventor, If any Masaru MORISE |
| 第4の共同発明者の署名 | 日付 | Fourth inventor's signature Date Masau Moriso October 30, 2003 |
| 住所 | | Residence Toyota-shi, Aichi-ken, Japan |
| 国籍 | | Citizenship Japan |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan |
| 第 5の共同発明者の氏名 | | Full name of fifth joint inventor, If any Akio SUGAWARA |
| 第5の共同発明者の署名 | 日付 | Fifth inventor's signature Date Oktober 30, 2003 |
| 住所 | | Residence Toyota-shi, Aichi-ken, Japan |
| 国籍 | | Citizenship Japan |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan |

Japanese Language Declaration (日本語宣言書)

| 第 6の共同発明者の氏名 | | Full name of sixth joint inventor, If any Fuminori SUZUKI | |
|--------------|----|---|--|
| 第 6の共同発明者の署名 | 日付 | Sixth inventor's signature Date | |
| | · | Fuminori SUZUKI october 30, 2003 | |
| 住所 | | Residence Okazaki-shi, Aichi-ken, Japan | |
| 国籍 | | Citizenship Japan | |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan | |
| 第 7の共同発明者の氏名 | | Full name of seventh joint inventor, If any Naoyuki FUKAYA | |
| 第7の共同発明者の署名 | 日付 | Seventh inventor's signature Date havyuki Fuhaya October 30, 2003 | |
| 住所 | | Residence Okazaki-shi, Aichi-ken, Japan | |
| 国籍 | | Citizenship Japan | |
| 郵便の宛先 | · | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan | |
| 第 8の共同発明者の氏名 | - | Full name of eighth joint inventor, If any Haruki YAMAMOTO | |
| 第8の共同発明者の署名 | 日付 | Eighth inventor's signature Date Haruki Yamamoto October 30, 2003 | |
| 住所 | | Residence Anjo-shi, Aichi-ken, Japan | |
| 国籍 | | Citizenship Japan | |
| 郵便の宛先 | | Mailing Address c/o TOYOTA JIDOSHA KABUSHIKI KAISHA of 1, Toyota-cho, Toyota-shi, Aichi-ken, 471-8571 Japan | |